

MINUTES OF REGULAR MEETING September 5, 2012

1. CALL TO ORDER

Mayor Bischoff opened the meeting at 7:00 p.m.

- 2. “Sunshine Law” Announcement:** Adequate notice of this public meeting has been provided by annual notice published in the Hunterdon Democrat on January 12, 2012 and The Courier News on January 13, 2012; posted on the Municipal public bulletin board in the Municipal Building and remain continuously posted as the required notices under the Statutes; posted on the Union Township website, and on file in the Municipal Clerk’s Office.

3. FLAG SALUTE

- 4. ROLL CALL** Present: Mr. Severino, Mr. Mazza, Mr. Hirt, Ms. McBride, Mr. Bischoff
Absent:
Others Present: J. Peter Jost, Esq., Ella Ruta Clerk, Bob Clerico, PE

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular Meeting Minutes of August 1, 2012.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride					X	
Mr. Bischoff			X			

Motion carried

6. VISITORS

- a. NJ DEP Division of Fish & Wildlife – Archery Facility, Jim Scaiascia, Bob Loncore and Paul Ritter. Mr. Scaiascia presented an overview of the plans for a proposed Archery Park, answered questions and asked the Committee if they were interested in having the Archery Park located within Union Township.

Motion: The Township is interested in pursuing further studies of this facility in the Township but non-binding at this time.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

7. REPORTS RECEIVED

- a. Dept of Roads & Facilities – Week Ending 8/03/12; 8/10/12; 8/17/12; 8/24/12; 8/31/12
b. Tax Collector – July 2012
c. Zoning Officer – July 2012
d. Engineer’s Report

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- Hoffman Park Phase I. Contract completed and maintenance bonds posted and in maintenance period now. Phase II is the Yanuzzi contract, supposed to start today on the asbestos abatement for the white house and main Hoffman House.

Motion: Approve the contracts for asbestos monitoring at the hourly rate indicated in the contract estimated to be \$8,200 subject to actual quantities.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

- Septic tanks have been uncovered, pumped and filled. Made application to the Health Dept. for the authorizations that they need for demolition permit. Part of that will be the abandonment of the well, Ms. McBride has the quotes .

Motion: To award the work to Stothoff at a total cost of \$2,300

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

- Perryville Road project – on time and under budget.
- Chip and seal program will start tomorrow.
- 2013 NJ DOT State Aid Application available and deadline is Oct 16th. Recommend that the Township apply. He will meet with Mr. Mazza to discuss before the Oct 3rd Committee Meeting.
- Title 39 Plan for Pilot, hearing tonight.
- The Race St. stream and bank – FEMA funds received \$15,069. Pursue the application with DEP.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Mazza mentioned the following correspondence: None

Mr. Severino mentioned the following correspondence:

- HC Bd of Freeholders – Meeting re: Rail Freight Capacity & Needs Assessment to year 2040. The Attorney to send letter with concerns.
- HC Planning Board, re: Proposed Amendment to Water Quality Management Plan.

Ms. McBride mentioned the following correspondence:

- HC Engineer, Reconstruction for HC Culvert U-18 Race St. With the Committee's permission, I will contact Mrs. Pat Lingelbach to invite her to attend with me the Oct. 18th HSC meeting in Trenton which will include a hearing on this bridge.

Mr. Hirt mentioned the following correspondence: None

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Mr. Bischoff mentioned the following correspondence:

- Mayor’s Advisory re: Best Practices Check List. The CFO will handle.
- Mayor’s Advisory re: Permits “Agricultural Tourism” Activities on Preserved Farmland.
- Twp. of Clinton re: Notice of Introduction – Zoning Ordinance #1042-12
- HC Bd of Freeholders re: Resolutions - No Stopping or Standing Vehicles along Mechlins Corner Rd. (CR 625) and Charlestown Road (CR 635).

OUT OF AGENDA ORDER

- a. **Motion to Approve:** 2012 Agreement – Franklin Fire District No. 1.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

BACK TO THE AGENDA ORDER**9. PUBLIC COMMENTS**

- Terry Wright, Hunterdon County Democrat asked for the amount of donations to Franklin Fire District. Mayor provided the amount of \$23,776.77.

10. OLD BUSINESS

- a. **RESOLUTION #2012** – Liquor License Renewal – Apalo Inc. t/a Perryville Inn. Tabled.

11. PUBLIC HEARING**ORDINANCE NO. 2012-13**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UNION, HUNTERDON
COUNTY, NEW JERSEY REGARDING GAMES OF CHANCE**

To Open Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

To Close Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			

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Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

To Adopt

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

ORDINANCE #2012-14

**AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC,
OF THE CODE OF THE TOWNSHIP OF UNION TO ESTABLISH TRAFFIC REGULATIONS
APPLICABLE TO THE PILOT TRAVEL CENTERS, LLC FACILITY, BLOCK 11, LOT 24.03
IN THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY**

To Open Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

To Close Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

To Adopt

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

ORDINANCE #2012-15

**AN ORDINANCE SUPPLEMENTING AND AMENDING
CHAPTER VII, SECTION 7-9, OF THE CODE OF THE TOWNSHIP OF UNION, PROHIBITING
STOPPING OR STANDING OF VEHICLES ON CERTAIN STREETS AND ROADS OF
UNION TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY**

To Open Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

To Close Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt	X		X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

To Adopt

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

12. NEW ORDINANCE – 1ST Reading

TOWNSHIP OF UNION
COUNTY OF HUNTERDON

NOTICE OF INTRODUCTION OF ORDINANCE

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 5th day of September, 2012, at 7:00 pm. The Ordinance was then ordered to be published according to law. Notice is hereby given that said Ordinance will be considered for final passage at a public hearing to be held on October 3, 2012 at 7:00 pm or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Jutland, N.J. at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE #2012-16**AN ORDINANCE APPROPRIATING THE SUM OF \$7,500.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY FOR THE EXTERIOR PAINTING OF THE MUNICIPAL BUILDING**

WHEREAS, there is currently within the 2012 Capital Fund of the Township of Union, County of Hunterdon, State of New Jersey, an item entitled Capital Improvement Fund; and

WHEREAS, there is in this fund at least \$7,500.00; and

WHEREAS, the Township Committee of the Township of Union has deemed there is a need for the exterior painting of the Municipal Building;

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that:

SECTION 1. There is hereby appropriated from the Capital Improvement Fund of the 2012 General Capital Fund for the exterior painting of the municipal building the sum of \$7,500.00;

SECTION 2. All Ordinances or parts of Ordinances which are inconsistent with the terms of the Ordinance be and the same are hereby repealed to the extent of their inconsistency;

SECTION 3. There is no debt incurred by this ordinance.

SECTION 4. This Ordinance shall take effect after proper passage and publication in accordance with law.

BY: _____
William Bischoff, Mayor

First Reading: September 5, 2012
Publication/in Full: September 13, 2012
Second Reading: October 3, 2012
Publication/Title Only: October 11, 2012

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

8:08 Mr. Clerico left the meeting

13. NEW BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION # 2012-115**EXTEND GRACE PERIOD
FOR PAYMENT OF TAX**

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AMENDMENT TO RESOLUTION # 2012-112

WHEREAS, the 2012 final and 2013 preliminary tax bills will be mailed out beyond the June 14, 2012 statutory date, NJSA 54:4-64 as a result of a delay in obtaining the Municipal Tax Rate, and;

WHEREAS, the law of 1994 known as A179 requires a minimum of a twenty –five day payment period for either estimated or final tax bills.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Union Township this 5th day of September 2012, that the grace period allowed for payment of the August 1, 2012 tax quarter be extended to August 20, 2012 and any payment received after said date will be charged interest from the original August 1, 2012 due date.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

b. The following resolution was introduced for adoption:

RESOLUTION #2012-116

**TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO AUTHORIZE DIRECT MAILING**

WHEREAS, N.J.S.A.54:5-26 requires the Tax Collector to advertise the Notice of Tax Sale for four weeks prior to the tax sale; and

WHEREAS, N.J.S.A.54:5-26 provides that the Tax Collector may give notice by direct mail in lieu of two publications, the cost of which shall not exceed \$25.00 for each such notice, which cost shall be added to the cost of the sale.

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of September, 2012 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, that:

1. The Tax Collector may provide notification by Direct Mail in lieu of two publications.
2. The cost of each Direct Mailing shall be set at \$25.00
3. This Resolution shall take effect immediately upon adoption.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

c. The following resolution was introduced for adoption:

RESOLUTION #2012-117
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND OVERPAYMENT OF 2012 TAXES

WHEREAS, the Tax Collector received payment from LSI Title agency Inc, for \$748.26 for 2012 taxes on Block 17.01, Lot 21; and

WHEREAS, Mr. Kerry McDermott from LSI has requested a refund of \$748.26 be sent to the homeowners, George & Leann McGowan.

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of September, 2012, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Tax Collector shall reverse the erroneous payment of \$748.26 for 2012 taxes.
2. The CFO shall refund \$748.26 to George & Leann McGowan, 7 Partridge Run, Hampton, NJ 08827 from Block 17.01, Lot 21.
3. This Resolution shall take effect immediately upon adoption.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

d. The following resolution was introduced for adoption:

RESOLUTION #2012-118
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND OVERPAYMENT OF 2012 TAXES

WHEREAS, the Tax Collector received payment from Coppola, Frank R. III & Miranda W., for \$515.98 for 2012 taxes on Block 4, Lot 3.10, Q0145; and

WHEREAS, Coppola, Frank R III & Miranda W has requested a refund of \$515.98.

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of September, 2012, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

4. The Tax Collector shall reverse the erroneous payment of \$515.98 for 2012 taxes.

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5. The CFO shall refund \$515.98 to Frank & Miranda Coppola, 20 White Oak Drive, Asbury, NJ 08802 from Block 4, Lot 3.10, Q0145.

6. This Resolution shall take effect immediately upon adoption.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

- e. **Motion to Approve:** Request to use Finn Road Park Facilities for “Run Like a Tiger” 5K and Family Fun Run Fundraiser – UT School PTA on 9/08/12

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried subject to Attorney review

- f. **Motion to Approve:** Application for Permit to operate a Temporary Food Concession – UT School PTA on 9/08/12 and to waive the Township fee.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

- g. **Motion to Approve:** Application for Permit to operate a Temporary Food Concession – Pudgy’s Street Food on 9/08/12

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried subject to Mr. Severino’s investigation of waiving the Township fee.

- h. **Motion to Approve:** Application for Permit to Operate a Temporary Food Concession – Hunterdon Medical Center Foundation.

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Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

14. REPORTS

a. Attorney's Report

- Potential litigation item for Executive Session

b. Mayor's Report

- Quote "I predict future happiness for Americans if they can prevent the government from wasting the labors of the people under the pretense of taking care of them." Thomas Jefferson
- Tragedy at Castellano's home.
- Clinton Township Parks & Recreation, brochure of coming events.
- Court report for July and August increased monies to the Township, monies collected and number of tickets issued.
- New dates from Pilot for next session of meetings to resolve issues.

c. Committee Report

Mr. Mazza reported the following:

- Demolition of Hoffman House. Thanked Ms. McBride for all her hard work on behalf of the Hoffman property.

Mr. Hirt reported the following:

- Website posting re: check list for home emergency.
- Electric auction, working on completing form.
- Three quotes for exterior painting of the municipal building. The lowest quote was Jeff Weaver Construction.

Ms. McBride reported the following:

- Dump Permit. Township Directory and Mini Dump permits went out with the tax bills in July. The Mini Dump flyers were distributed by the mini dump people and recycling people in July and August. DR&F department put together signage for recycling center detailing acceptable materials.
- Security camera. Would the Committee agree with installing this camera and security sign on the building? Committee agreed.
- Complaints about the property on Pattenburg Road that is for sale. Our zoning officer has been in contact with the owner several times without any success. Will ask Mr. Graham to send him a letter to clean up and to make the property presentable in 30/60 days.
- Rabies Clinic - Interested in having a rabies clinic with Franklin Township. Clerk said the Franklin Township Clerk will check the cost and let her know. If we decide not to have a clinic, in December a link will be put on our website for the listing of free rabies clinics in the County.

Mr. Severino reported the following:

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- Paper shredding event for Township residents on Saturday, October 20, 2012 at a cost of \$135 per hr to shred. Cost to come from Clean Communities money. Event will be for three hours, 8:00 am to 11:00 am. Advertise by printed flyers distributed by PTA, handouts at recycling and website. Event is for Union Township residents only.
- Waiting for specs on requirements from Board of Health in regards to the installation of the underground holding tank for the snack shack at Finn Road Park. Cost estimates at next meeting
- I would like to give our attendant, Matt Boyden, permission to return during the week, after the weekends we are open, for approximately one hour to separate items, clean up the area and deposit metals into containers.
- Request quotes to replace the secondary air conditioner in the attic.

d. Clerk's Report

- Raffle License #2012-26 Greenwich Township PTO; Casino Night; 01/25/13

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

- Raffle License #2012-27 Family Promise of Hunterdon County, Inc., On premise 50/50 cash; 10/29/12

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

15. PUBLIC COMMENTS

16. PAYMENT OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

17. EXECUTIVE SESSION – Contract Negotiation and Potential Litigation

RESOLUTION #2012- 119

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**Providing for a Meeting Not Open to the Public in Accordance with the
Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on September 5, 2012, at 9:01 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

9:01 pm go into executive session

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

At about 9:13 pm. the Committee reconvened into regular session

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- 18. ADJOURNMENT** - There being no further business to come before the Township Committee at this time, Ms. McBride made a motion to adjourn. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 9:14 p.m.

Respectfully submitted,

Ella M. Ruta, RMC

William F. Bischoff, Mayor

Prepared by: Pat Essig, Administrative Assistant